

workplace. I know that he will be missed by his colleagues and by postal workers from every corner of the country.

Mr. President, I know my colleagues join me in expressing appreciation to Douglas Holbrook for his distinguished service to our nation's postal workers, and in wishing him well in his upcoming retirement.●

#### CATHERINE KALINOWSKI, COLORADO STATE CHAMPION, THE CITIZENS FLAG ALLIANCE ESSAY CONTEST

● Mr. ALLARD. Mr. President, I rise today to pay tribute to Catherine Kalinowski who has been named the Colorado State champion in The Citizens Flag Alliance Essay Contest. This young lady was charged with the task of writing an essay on the theme, "The American Flag Protection Amendment: A Right of the People . . . the Right Thing to Do," and did a fine job of making the case for protecting the greatest of our national symbols.

As many in this Chamber know, I am a strong supporter of a constitutional amendment to prohibit the desecration of our flag. The American flag is a great symbol of our Nation, and it should be regarded with the highest of honors. It is a part of our national identity, representing the hopes, dreams, and honor of our country.

As I read this essay, one passage struck me as particularly insightful. I believe that Catherine sums up our beliefs best when she writes,

The visage of the nation's flag has altered as it has aged, with modifications in the dimensions, design, and number of stars; yet changing appearance has not impeded the flag from becoming the principal image of American ideals.

I would like to submit the full text of Ms. Kalinowski's essay for inclusion in the CONGRESSIONAL RECORD at this time.

Mr. President, Catherine Kalinowski represents the best and brightest that America has to offer. Young people like her are our future, a future that is brighter because of her commitment and resolve. On behalf of all Coloradans, I would like to congratulate Catherine and wish her the best of luck in the upcoming national competition.

The essay follows:

THE AMERICAN FLAG PROTECTION AMENDMENT: A RIGHT OF THE PEOPLE . . . THE RIGHT THING TO DO

(By Catherine M. Kalinowski)

"Stars and Stripes Forever," a song by John Philip Sousa proclaims the American flag as "the flag of the free" and "the Banner of the Right." Sousa declares "May it wave as our standard forever," but may it? The flag of the United States of America is so loosely protected by state and federal laws that the molestation of the flag has become acceptable. America's flag has gone from being a symbol of freedom and righteousness to one of commercialism and insurrection.

As the Colonists fought for the rule of the land they considered their own, creation of a

separate identity from England became important. Before a fleet of the Continental Congress set out to intercept British supply boats coming into Boston, Col. Joseph Reed wrote to his commander, General George Washington. "Please to fix upon Some particular Colour for a Flag—a Signal, by which our vessels may know one another." Col. Reed's letter of request was lamentably late, forcing the ships to sail under their old flags. The flag issue was settled when on June 14, 1777, Congress, "Resolved, That the flag of the thirteen United States be thirteen stripes alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation." And by November 1, 1777, Stars and Stripes were seen flying from a US ship under the command of Continental Navy Captain John Paul Jones. The flag on Jones' vessel was the first to represent the United States in a foreign port and to receive recognition as representing America as a nation, being given a nine-gun salute by the French at Quiberon Bay. Though originally needed for the practical objective of identification at sea, the creation of Old Glory became significant to the establishment of the nation.

The visage of the nation's flag has altered as it has aged, with modifications in the dimensions, design, and number of stars; yet changing appearance has not impeded the flag from becoming the principal image of American ideals. Life, liberty, and the pursuit of happiness is embodied in every stitch of the US flag. As United States Senator Paul Fannin wrote, "Those who tear down the flag reveal their hatred for everything good and great in our country, because the flag is a symbol of what we want America to be—a land of justice, opportunity, equality and compassion." New York Mayor John V. Lindsay viewed the flag as having individual stars and stripes to represent the individuality of the country's citizens; however, because the same flag flies over all Americans, the flag "binds us together in the common enterprise we call America." A representation of so much positive in American society, a representation of the United States itself, it is unfortunate that the flag is becoming insignificant.

During the beginning of this century, most states enacted laws to discourage flag desecration, outlawing placing any marks or pictures of the flag, forbade any flag usage for commercial purposes, and banned any physical destruction of flags or any "act or words" that publicly cast "contempt" on the flag. These standards have been obscured to the point of oblivion. The flag is pictured on everything from apparel and political paraphernalia to automobiles and boxes of cereal. Depicted on every corner, the flag no longer receives the veneration due to it. Penalization for defiling the flag through acts such as flag burning was practiced until what has been called the 1989-1990 Flag Burning Controversy. Gregory Lee Johnson was arrested in 1984 for burning a flag in Dallas, Texas. Under Texas' Venerated Objects law, Johnson had committed a crime and was sentenced to the maximum penalty of one year in prison and a fine of \$2,000. An appeals court reversed Johnson's conviction by a 5-4 vote on April 20, 1988. Dallas County, in response to the Texas Court of Criminal Appeals, requested the ruling of the U.S. Supreme Court. The decision of the Supreme Court upheld through another 5-4 vote the conclusion of the Texas court, agreeing that flag burning is protected by the First Amendment. In response to the Johnson decision, there have been votes for an amendment protecting the flag, but none with enough majority to adopt the amendment.

Constitutionality of flag burning has been supported by the guarantee of free speech,

including symbolic speech, in the First Amendment. However, the Supreme Court has ruled that freedom of speech has limits; restricted areas of speech include obscenity, defamation, speech that leads to illegal action, fighting words, and speech in public schools. Because obscenity is generally defined as anything that violates society's standards of decency, desecration of Old Glory could be considered indecent, thus unprotected by the Constitution. The consideration of actions protected as speech also allows for destruction of the flag to be viewed as fighting words, exceeding another limit of the First Amendment. In *Chaplinsky v. New Hampshire* (1942), the Supreme Court defined "fighting words" as words that, "have a direct tendency to cause acts of violence." Flag burning seems a fighting word as it often leads to acts of violence. When considering obscenity and fighting words, the flag does not appear to be protected by free speech. Therefore, it seems in order to go ahead and proceed with the next step, creating an American Flag Protection Amendment.

To propose such a protection amendment, two-thirds of the members of both houses of Congress or the same percentage of members of a national convention must vote for the proposal of the amendment. Once proposed, three-fourths of the states must ratify the amendment by a vote in each state's legislature or state convention. If enough citizens gave their support of an American Flag Protection Amendment, the representatives of the people would surely follow their will and obtain protection for the banner of the nation.

American's flag needs and deserves to be treated with dignity, and it is the right of the public to rally for Constitutional protection of the magnificent symbol of the United States. So much time as already elapsed—now is the time to act justly on the behalf of Old Glory. With swift action, Stars and Stripes will be able to, "wave as our standard forever."●

#### MORDECHAI STRIGLER

● Mr. MOYNIHAN. Mr. President, today is a bittersweet day at the Jewish Theological Seminary in New York City where the annual commencement ceremony will include an unprecedented presentation of a posthumous honorary doctorate to Mordechai Strigler, the talented editor of the Yiddish Forward who died last week at the age of 76.

I rose almost a year ago today to share with the Senate the news of the Forward's centenary. This remarkable newspaper, which once helped hundreds of thousands of new immigrants learn about their new homeland, now prints Yiddish, Russian and English weekly editions. The Yiddish edition has gone from a daily press run of 250,000 copies to a weekly run of 10,000, but has retained much of the literary excellence and social conscience that has so characterized the Forward during its storied history.

Mordechai Strigler was born in 1921 in Zamosc, Poland, and was sent to study in a yeshiva at age 11. In 1937 he began work as a rabbi and teacher in Warsaw.

When the Germans occupied Poland in 1939, he tried to escape to Russia, but was caught at the border. He spent